

## Law Enforcement

### Use of the ACP Authorization Card and Substitute Address

The ACP laws require law enforcement, like other state and local government agencies, to accept an ACP participant's substitute address as their legal address 1) upon their request to use the substitute address and 2) upon the presentation of their active, valid ACP authorization card.

Per §24-30-2108(2), C.R.S., law enforcement is authorized to make a copy of the participant's ACP authorization card for agency records. The ACP authorization card looks like this:

State of Colorado Address Confidentiality Program	
Pursuant to §24-30-2101 C.R.S., the following person is authorized to use the following substitute address for all legal purposes:	
<b>Participant Name</b> 1001 East 62 <sup>nd</sup> Avenue, Apt #0000 Denver, Colorado 80216	<b>Expiration date:</b> 00/00/00
<div style="border: 1px solid black; height: 20px; width: 100%;"></div> <i>Signature of Participant or Parent/Guardian</i>	

"When a program participant submits a current and valid address confidentiality program authorization card to the agency, the agency shall accept the substitute address...as the participant's residential, work, or school address when creating a new public record..."§24-30-2108 C.R.S.

This address shall be used as the participant's only address of record and must be used on all correspondence.

Questions regarding the program or the use of this card:  
please call (303) 866-2208 toll-free at (888) 341-0002  
e-mail [acp@state.co.us](mailto:acp@state.co.us) [www.acp.colorado.gov](http://www.acp.colorado.gov)

Authorization # 600000000

### Record Redaction

Also upon a participant's request, law enforcement must redact the participant's actual address information from any agency records created up to 90 days prior to the ACP enrollment date. The ACP laws can be found beginning at §24-30-2101, C.R.S.

### Policy Making

ACP participant and law enforcement interactions are unique. Every situation contains factual, agency-specific, and jurisdictional variables for which an ACP administrative rule or internal policy is incapable of providing an adequate remedy. Law enforcement agencies must develop internal policies and procedures that best meet the needs of the agency while accommodating the ACP laws. The ACP program staff can assist with this process in an advisory capacity, and are available to discuss unique situations as they occur on a case by case basis.

### Non-Emergency Disclosure of Participant Information

The process for requesting the release of any participant information is outlined in §24-30-2110, C.R.S. The agency must have a bona fide statutory or administrative requirement for the use of the ACP participant's actual address. Unless emergency exceptions apply, the participant will be notified of the request and have an opportunity to respond before their confidential information is released. §24-30-2110(2)(a), C.R.S.

### **Emergency Disclosure of Participant Information**

A criminal justice agency or official may request the expedited release of participant information if the information is required pursuant to a criminal justice trial, hearing, proceeding, or investigation involving a program participant. § 24-30-2110(12), C.R.S. A criminal justice agency or official requesting participant information on an emergency basis must adhere to a two-part process.

#### **Part One – The Request**

The law enforcement official shall submit a written request setting forth the reason(s) for the expedited release of information to the criminal justice agency. In addition:

- a. The request must be on agency letterhead.
- b. The request must be signed by the employee of the criminal justice agency requesting the information.
- c. The request must be signed by his or her direct supervisor, or acting supervisor if the employee's direct supervisor is unavailable.

#### **Part Two – Notarized Certification**

There are two ways to comply with this part of the release process:

1. The request (part one) may be accompanied by a notarized statement certifying that the information requested is required pursuant to a criminal justice trial, hearing, proceeding, or investigation involving a program participant, AND that the participant's actual address will be protected from the public and personnel who are not involved in the trial, hearing, proceeding or investigation.

**OR**

2. The request (part one) may be accompanied by the notarized **Emergency Disclosure of Information Form**.

**[Insert form here]**

### **9-1-1 Calls**

Participants who initiate an emergency response to their actual address by calling 9-1-1 are voluntarily releasing their actual address. Since 9-1-1 call information is dispersed to various law enforcement databases, it would be unrealistic to assure participants that all 9-1-1 generated information can be effectively redacted. Participants should not avoid calling 9-1-1 in the event of a real emergency, but should realize that their confidentiality may be compromised.

### **Interaction with the Courts**

Please look at the ACP website page labeled, “Courts” for more information about specific laws and court interactions.

### **Service of Process**

The Address Confidentiality Program Act (§24-30-2101 et. seq., C.R.S.) provides the following language concerning service of process:

#### **§24-30-2104(4)(a) Address confidentiality program – creation – substitute address – uses – service by mail – application assistance centers.**

(4)(a) Notwithstanding any provision of law to the contrary, a program participant may be served by registered mail or by certified mail, return receipt requested, addressed to the participant at his or her substitute address with any process, notice, or demand required or permitted by law to be served on the program participant. Service is perfected under this subsection (4) at the earliest of:

- (I) The date the program participant receives the process, notice, or demand; or
- (II) Five days after the date shown on the return receipt if signed on behalf of the program participant.

(b) This subsection (4) does not prescribe the only means, or necessarily the required means, of serving a program participant in the state.

### **Service of Legal Documents by First Class, Registered, or Certified Mail**

Please mark the exterior of any envelopes containing documents to be served by mail with “Service of Process.” This will ensure proper record-keeping of service received.

### **Service of Process in Person**

If personal service is required, please serve the documents upon the designee for the executive director of the Address Confidentiality Program. All ACP participants authorize the program to act as their legal agent for receipt of mail and service of process when they enter the program. Personal service can be served at:

Colorado Department of Personnel and Administration  
Division of Central Services, Address Confidentiality Program  
1001 East 62nd Avenue  
Denver, CO 80216

Clearly mark the exterior of the envelope containing the documents “Service of Process” and include the participant’s name and address. Please contact the ACP in advance at (303) 866-2208 to ensure that the participant is active and that someone from the ACP will be available to accept the documents.